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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,423	03/14/2001	Gene E. Nacey	569.005	3458
35195	7590	11/01/2006	EXAMINER	
FERENCE & ASSOCIATES 409 BROAD STREET PITTSBURGH, PA 15143			PASS, NATALIE	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/808,423	NACEY, GENE E.	
	Examiner	Art Unit	
	Natalie A. Pass	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6 September 2006 has been entered.

2. This communication is in response to the Request for Continued Examination and amendment filed on 6 September 2006. Claims 1-38 have been cancelled. Claims 39-76 have been newly added. Claims 39-76 remain pending.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Newly added claims 39-76 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

(A) Independent claim 39, 62, and 76 recite limitations that are new matter, and are therefore rejected. The added material which is not supported by the original disclosure is as follows:

- "based upon said verified nutritional values" as disclosed in claims 39, 62, and 76 at lines 12-13, 17, 13-14, respectively;
- "based upon said assigned food attributes" as disclosed in claims 39, 62, and 76 at lines 15, 18-19, 16, respectively
- "providing a remote link to food service professionals associated with said healthcare facility to access said system" as disclosed in claims 39, 62, and 76 at lines 16-17, 20-21, 17-18, respectively
- "collecting information from said registered food service professionals" as disclosed in claims 39, 62, and 76 at lines 18, 22-23, 19, respectively;
- suggesting menu sets to said registered food service professionals based upon therapeutic diet types selected by said registered food service professionals" as disclosed in claims 39, 62, and 76 at lines 19-20, 24-26, 20-21, respectively; and
- "making nutritional information associated with said menu sets available to said registered food service professionals" as disclosed in claims 39, 62, and 76 at lines 21-22, 27-28, 22-23, respectively.

35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. "New matter" constitutes any material which meets the following criteria:

a) It is added to the disclosure (either the specification, the claims, or the drawings) after the filing date of the application, and

b) It contains new information which is neither included nor implied in the original version of the disclosure. This includes the addition of physical properties, new uses, etc.

In particular, the Examiner was unable able to find any support for this newly added language within the specification as originally filed on 14 March 2001. Applicant is respectfully requested to clarify the above issues and to specifically point out support for the newly added limitations in the originally filed specification and claims.

(B) Claims 40-61, 63-75 incorporate the features of independent claims 39 and 62, through dependency, and are also rejected.

Applicant is required to cancel the new matter in the reply to this Office Action.

5. If Applicant continues to prosecute the application, revision of the specification and claims to present the application in proper form is required. While an application can, be amended to make it clearly understandable, no subject matter can be added that was not disclosed in the application as originally filed on 14 March 2001.

6. The rejection of claims 1-38 under 35 U.S.C. 112, first paragraph, for containing new matter is hereby withdrawn due to the response filed 6 September 2006.

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7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 39, 45-47, 50, 52, 55, 57-62, 65-68, 71, 73-76 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention..

- Claims 39, 45-47, 50, 52, 55, 57-62, 65-68, 71, 73-76 recite the limitation “said registered food service professionals”. There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Newly added claims 39-40, 44-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolawa et al., U.S. Patent Number 6, 370, 513 in view of Cosentino et al., U.S. Patent Number 6, 290, 646.

NOTE: The following rejections assume that the subject matter added in the 6 September 2006 amendment are NOT new matter, and are provided hereinbelow for Applicant's consideration, on the condition that Applicant properly traverses the new matter objections and rejections made in sections 3 and 4 above in the next communication sent in response to the present Office Action.

(A) As per newly added claim 39, Kolawa teaches a method for facilitating food service management in a health care facility, said method comprising the steps of:

providing a computer-based system (Kolawa; Figure 1 column 4, line 63 to column 5, line 13);

establishing a standard set of therapeutic diet types contained in a master diet type database in said system (Kolawa; column 7, lines 15-17, column 9, lines 15-21);

storing a plurality of food recipes in said system within a recipe database (Kolawa;) (Kolawa; Figure 15, column 7, lines 15-17, column 16, lines 32-34);

obtaining nutritional data on each food item used in said plurality of recipes and storing said data in said system within a food item database (Kolawa; Figures 26A TO 26D, column 16, line 63 to column 17, line 33);

analyzing (reads on “evaluating”) “the chemical components in the specified foods” (reads on “a nutritional content of each food item”) (Kolawa; Figures 26A TO 26D, column 16, lines 29-32, column 3, lines 25-31);

verifying a “chemical component” (reads on “a nutritional value”) of each of said plurality of recipes in said recipe database (Kolawa; Figure 15, Figure 17, column 3, lines 25-31, column 16, lines 52-65, column 17, lines 10-33);

assigning various food attributes to said recipes based upon said verified nutritional values (Kolawa; Figures 26A TO 26D, column 16, lines 20-32);

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shaping menu sets of said recipes for each of said established therapeutic diet types (Kolawa; column 9, lines 15-21) in a menu database in said system based upon said assigned food attributes (Kolawa; Figure 7, column 11, lines 3-7, 40-49);

making “chemical components” information (reads on “nutritional information associated with said menu sets”) available (Kolawa; Figure 15, Figure 17, Figure 26A, Figure 26B, column 3, lines 25-31, column 16, lines 52-65, column 17, lines 10-33); and

tracking an inventory of food items at said health care facility (Kolawa; Figure 11, column 13, lines 29-39).

Kolawa fails to explicitly disclose a method comprising

making nutritional information associated with said menu sets available to said registered food service professionals;

providing a remote link to food service professionals associated with said healthcare facility to access said system;

collecting information from said registered food service professionals; and

suggesting menu sets to said registered food service professionals based upon therapeutic diet types selected by said registered food service professionals.

However, the above features are well-known in the art, as evidenced by Cosentino.

In particular, Cosentino teaches a method including

making nutritional information available to said “nutritionists” (reads on “food service professionals”) (Cosentino; column 2, lines 56-62);

providing a remote link to “nutritionists” (reads on “food service professionals”) associated with said healthcare facility to access said system (Cosentino; column 2, lines 56-62);

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collecting information from said registered food service professionals (Cosentino; column 2, lines 25-34, 56-62); and

“adapt[ing] the individual’s diet” (reads on “suggesting menu sets”) to said registered food service professionals based upon “information received” (reads on “therapeutic diet types”) selected by said registered food service professionals (Cosentino; column 2, lines 25-34, 41-46, 56-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Kolawa to include these limitations, as taught by Cosentino, with the motivations of enabling the “monitoring and transmitting physiological and wellness parameters of overweight/obese patients to a remote site where a weight management professional or nutritionist evaluates such physiological and wellness parameters” and “can supervise and provide nutritional guidance to remotely located individuals” (Cosentino; column 2, lines 48-54).

(B) As per newly added claims 40, 44-49, Kolawa and Cosentino teach a method as analyzed and discussed in claim 39 above further comprising the steps of

categorizing said plurality of recipes according to geographic regions having noticeable differences in food tastes (Kolawa; Figure 16, Figure 27, column 18, lines 5-7);

forming a large library of menu sets in said menu database (Kolawa; column 18, lines 24-29);

allowing said “nutritionists” (reads on “registered food service professionals”) to choose a set of menus from said library (Cosentino; column 2, lines 25-34, 41-46, 56-62);

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suggesting menu sets to said registered food service professionals based upon said inventory of food items at said healthcare facility (Cosentino; column 2, lines 25-34, 41-46, 56-62), (Kolawa; column 13, lines 29-39);

suggesting menu sets to said registered food service professionals based upon an individual patient's preference (Cosentino; column 2, lines 25-62);

. wherein said patient's preference is based upon said patient's particular food tastes (Kolawa; column 4, lines 63-66); and

wherein said patient's preference is based upon said patient's religious beliefs (Kolawa; column 7, lines 15-17); Examiner interprets "ethnicity" to be a form of "religious beliefs."

The motivations for combining the respective teachings of Kolawa and Cosentino are as given in the rejection of claim 39 above, and incorporated herein.

(C) As per newly added claims 50-58, Kolawa and Cosentino teach a method as analyzed and discussed in claim 39 above further comprising the steps of

storing said information collected from said registered food service professionals in said system in a user database. (Kolawa; Figure 2, column 4, line 63 to column 5, line 9, column 5, lines 45-52), (Cosentino; column 12, lines 33-44);

wherein said stored information in said user database includes identifying information (Kolawa; Figure 2, column 4, line 63 to column 5, line 9, column 5, lines 45-52), (Cosentino; column 12, lines 33-44);

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wherein said stored information in said user database includes “keeping track of the needs and preferences of the user” (reads on “historical information on prior use of said system by said registered food service professionals”) (Kolawa; Abstract, column 10, lines 41-43);

comprising the step of limiting access to said system to “medical professional caregiver” (reads on “food service professionals”) associated with a healthcare facility (Cosentino; column 3, lines 41-45, column 4, lines 28-30); Examiner interprets Cosentino’s teachings of “a remote central office location” at which a “medical professional” caregiver “monitors the patient’s condition and provides medical treatment as may be necessary” to read on “a healthcare facility;”

authorizing at least one “medical professional caregiver” (reads on “food service professionals”) associated with a healthcare facility to receive information (Kolawa; Figure 18, column 18, lines 1-5);

allowing said registered food service professionals to place food item orders via said system (Kolawa; Figure 11, column 5, lines 25-27, column 13, lines 15-17, column 14, line 9);

automatically updating said inventory to reflect said orders (Kolawa; Figure 11, column 13, lines 50-55);

wherein said registered food service professionals can place food item orders with a plurality of food item distributors (Kolawa; Figure 11, column 13, lines 50-55, column 19, lines 41-43); and

further comprising the step of providing a standard format for order transactions such that said registered food service professionals can make objective decisions about placing said orders (Kolawa; column 13, lines 15-25).

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The motivations for combining the respective teachings of Kolawa and Cosentino are as given in the rejection of claim 39 above, and incorporated herein.

(D) As per newly added claims 59-61, Kolawa and Cosentino teach a method as analyzed and discussed in claim 39 above further comprising the steps of

providing said registered food service professionals the ability to “communicate” (reads on “interact”) with a system proprietor (Cosentino; column 2, lines 56-62, column 3, lines 4-7);

providing said registered food service professionals the ability to “communicate” (reads on “interact”) with other food service professionals associated with other healthcare facilities(Cosentino; column 2, lines 56-62, column 3, lines 4-7); and

providing a search engine such that said registered food service professionals can search said databases (Kolawa; column 17, lines 9-23, 57-62).

The motivations for combining the respective teachings of Kolawa and Cosentino are as given in the rejection of claim 39 above, and incorporated herein.

(E) Claim 62 differs from method claim 39 in that it is a system rather than a method for facilitating food service management in a health care facility.

System claims 62-75 repeat the subject matter of claims 39, 40, 44-47, 50, 53-57, 60-61, respectively, as a set of elements rather than a series of steps. As the underlying processes of claims 39, 40, 44-47, 50, 53-57, 60-61 have been shown to be fully disclosed by the collective teachings of Kolawa and Cosentino in the above rejection of claims 39, 40, 44-47, 50, 53-57, 60-61, it is readily apparent that the system disclosed collectively by Kolawa and Cosentino

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includes the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 39, 40, 44-47, 50, 53-57, 60-61, and incorporated herein.

The motivations for combining the respective teachings of Kolawa and Cosentino are as given in the rejection of claim 39 above, and incorporated herein.

(F) Claim 76 differs from method claim 39 by reciting a “program storage device readable by machine for tangibly embodying ...” in the preamble. As per this limitation, Kolawa clearly discloses his invention to be implemented on a “program storage device readable by machine for tangibly embodying ...” (Kolawa; column 4, line 62 to column 5, line 9). The remainder of claim 76 repeats the limitations of claim 39, and is therefore rejected for the same reasons given above for claim 39.

The motivations for combining the respective teachings of Kolawa and Cosentino are as given in the rejection of claim 39 above, and incorporated herein.

11. Newly added claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolawa et al., U.S. Patent Number 6, 370, 513 in view of Cosentino et al., U.S. Patent Number 6, 290, 646 as applied to claim 39 above, and further in view of Petot, et al. article: “An artificial intelligence system for computer-assisted menu planning,” Sept. 1998, hereinafter known as Petot.

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(A) As per newly added claim 41, Kolawa and Cosentino teach a method as analyzed and discussed in claim 39 above.

Kolawa and Cosentino fail to explicitly disclose a method further comprising the step of eliminating variances in said therapeutic diet types among differing health care facilities.

However, the above features are well-known in the art, as evidenced by Petot.

In particular, Petot teaches a method further comprising the step of planning daily menus in accordance with “guidelines” and “standards” (reads on “eliminating variances in said therapeutic diet types among differing health care facilities”) (Petot; Abstract, page 1011, column 1, paragraphs 3-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined teachings of Kolawa and Cosentino to include these limitations, as taught by Petot, with the motivations of “planning daily menus in accordance with the nutrition needs and personal preferences of individual clients ... [...] ...could also apply to planning special-purpose menus for use in many different settings. For example, preplanned menus for metabolic diets in a clinical research center can become a case base, which can then be accessed for menus. Menus revised to meet specific research needs can be added to the case base for future protocols. A menu planner for [therapeutic] diabetic diets could be built by tuning the adaptation strategies to meet individual needs ... [...] ... could be adapted for use by institutions such as nursing homes, hospitals, schools and colleges, wellness and fitness centers, and nutrition education programs” (Petot; page 1014, column 1, paragraph 2 to column 2, paragraph 1).

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12. Newly added claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolawa et al., U.S. Patent Number 6, 370, 513 in view of Cosentino et al., U.S. Patent Number 6, 290, 646 as applied to claim 39 above, and further in view of Brown, U.S. Patent Number 6, 168, 563.

(A) As per newly added claims 42-43, Kolawa and Cosentino teach a system as analyzed and discussed in claim 39 above.

Although Kolawa and Cosentino teach modifying menus for diabetic diets (Kolawa; column 9, lines 15-21), Kolawa and Cosentino fail to explicitly disclose a method

further comprising the step of evaluating diabetic exchange rates of each food item; wherein said verification of nutritional value of each of said plurality of recipes is based upon said evaluation of nutritional content and said evaluation of diabetic exchange rates of each food item.

However, the above features are well-known in the art, as evidenced by Brown.

In particular, Brown teaches a method

. further comprising the step of evaluating diabetic exchange rates of each food item (Brown; column 21, lines 32-53, column 22, lines 44-55);

wherein said verification of nutritional value of each of said plurality of recipes is based upon said evaluation of nutritional content and said evaluation of diabetic exchange rates of each food item (Brown; column 21, lines 32-53, column 22, lines 44-55).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined teachings of Kolawa and Cosentino to include these limitations, as taught by Brown, with the motivations of “providing a simple and inexpensive system for remotely monitoring patients and for communicating information to the patients” and to “provide reliable information that allows a diabetic and his or her healthcare professional to establish, monitor and adjust a treatment plan (diet, exercise, and medication)” (Brown; column 5, line 66 to column 6, line 2, column 1, lines 54-56).

Response to Arguments

13. Applicant's arguments filed 6 September 2006 have been fully considered but they are not persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they appear in the response filed 6 September 2006.

(A) Applicant's arguments at pages 12-15 in the response filed 6 September 2006 with respect to the Froseth reference have been considered but are moot in view of the new ground(s) of rejection.

(B) At pages 13-15 of the 6 September 2006 response, Applicant argues that the limitations of claims 39-76 are not taught or suggested by the applied references. In response, all of the limitations which Applicant disputes are missing in the applied references, including the newly added limitations of claims 39-76, have been fully addressed by the Examiner as either being fully disclosed or obvious in view of the combined teachings of Kolawa, Cosentino, Petot

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and Brown, based on the logic and sound scientific reasoning of one ordinarily skilled in the art at the time of the invention, as detailed in the 35 USC § 103 rejections given in the preceding sections of the present Office Action. In particular, Examiner notes that “established therapeutic diet types” is taught by the applied references. In particular, please note (Kolawa; column 9, lines 15-21), as specified in the rejections above, and incorporated herein. Kolawa teaches defining diets according to health conditions (e.g. diabetes, heart condition, cholesterol issues) (Kolawa; column 9, lines 15-21); Examiner interprets this as a form of “therapeutic diet types.”

With respect to Applicant’s argument in paragraph 4 on pages 13 of the 6 September 2006 response that the Kolawa reference fails to teach obtaining nutritional data on food items used in recipes, examiner respectfully disagrees. Examiner interprets Kolawa’s teachings of “[t]he creation of product vectors for recommending dishes includes parsing an original recipe for its ingredients. These ingredients are mapped to the chemical components making up the ingredients. The value of each chemical component is then stored into the inclusive preference fields of the product vector,” (Kolawa; column 3, lines 26-32), and as shown in Figure 26A, as teaching the argued limitations.

As per Applicant’s argument regarding limitations involving “food service professionals” in paragraph 4 on pages 13 of the 6 September 2006 response, Examiner notes that it was the Cosentino reference, and not the Kolawa reference that was used to reject these limitations.

With regard to Applicant's argument in the paragraph bridging pages 13-14 of the 6 September 2006 response, that Kolawa fails to teach inventory tracking at a health care facility Examiner respectfully disagrees. Examiner notes that Kolawa teaches "the system's order subsystem 40 allows the system to receive and process on-line purchase requests. According to one embodiment of the invention, a retailer's network server 26 or personal computer 28 hosts an inventory database which is accessible to the order subsystem 40, over the Internet connection 12 (FIG. 1). In its simplest form, the inventory database comprises a record of products, each record identified headed by a UPC code corresponding to a product sold by the retailer. The record further includes the product's name, price, description, and availability information" (Kolawa; column 13, lines 15-25), and "[i]f all the inventory databases have been examined, the program inquires in step 506 if any products have been located. If the product was not located, the program, in step 508, inserts the product to a list of items to restock" (Kolawa; column 13, lines 35-39), and "the system, in step 518, transmits a submit order to the selected retailer and updates that retailer's inventory database in step 520 to reflect the purchase. The updating process may be manual or automatic" (Kolawa; column 13, lines 50-55); Examiner interprets these teachings as teaching the argued limitations.

As per Applicant's arguments in paragraph 3 of page 15 of the 6 September 2006 response, these have been discussed earlier in this office action.

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Conclusion

14. Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington D.C. 20231**

or faxed to: **(571) 273-8300.**

For informal or draft communications, please label
"PROPOSED" or "DRAFT" on the front page of the
communication and do NOT sign the
communication.

After Final communications should be labeled "Box
AF."

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie A. Pass whose telephone number is (571) 272-6774. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (571) 272-3600.

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17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Natalie A. Pass

October 30, 2006

Robert Morgan
Robert Morgan
Patent Examiner
Art Unit 3626